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FILED
DISTRICT COURT OF GUAM

MAY 25 2018

JEANNE G. QUINATA
CLERK OF COURT

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IN THE UNITED STATES DISTRICT COURT

TERRITORY OF GUAM

UNITED STATES OF AMERICA,
Plaintiff,

v.

FUNDS IN THE AMOUNT OF \$25,883.33 et al.,
Defendants

Civil Action 18-00019

ANSWER OF KENNETH RUFUS
CROWE TO VERIFIED COMPLAINT
FOR FORFEITURE *IN REM*

Kenneth Rufus Crowe ("Crowe"). having been served on May 4, 2018, notice of the government's filing of a civil complaint seeking forfeiture of certain assets identified in the Complaint and asserting that he is a person owning an interest in assets that the government seeks to forfeit, answers the Complaint as follows:

1. Crowe admits the first paragraph of ¶ 1, including subparagraphs A, B, C, and D, but denies each and every other allegation contained in ¶ 1.
2. Paragraph 2 states a legal conclusion that that must be determined by the Court and for the purposes of this answer, Crowe denies ¶ 2.

ORIGINAL

- 1 3. Paragraph 3 states a legal conclusion that that must be determined by the Court and
2 for the purposes of this answer, Crowe denies ¶ 3.
- 3 4. Paragraph 4 states a legal conclusion that that must be determined by the Court and
4 for the purposes of this answer, Crowe denies ¶ 4.
- 5 5. Crowe has no information or belief upon which to base an answer to ¶ 5 and
6 therefore denies ¶ 5.
- 7 6. Crowe has no information or belief upon which to base an answer to ¶ 6 and
8 therefore denies ¶ 6.
- 9 7. Crowe has no information or belief as to the conclusions that FBI Special Agent
10 Peter Prozik may have reached and therefore denies ¶ 7, including each and every
11 one of its subparagraphs.
- 12 8. Crowe has no information or belief upon which to base an answer to ¶ 8 and
13 therefore denies ¶ 8.
- 14 9. Crowe has no information or belief upon which to base an answer to ¶ 9 and
15 therefore denies ¶ 9.
- 16 10. Crowe has no information or belief upon which to base an answer to the allegations
17 in ¶ 10 that are attributed to Doug Dymong, who is described as an FAA Inspector
18 of the Special Emphasis Investigations Team, and therefore denies ¶ 10, including
19 each and every one of its subparagraphs.
- 20 11. Crowe has no information or belief upon which to base an answer to the acts
21 alleged in ¶ 11 and therefore denies ¶ 11, including each and every one of its
22 subparagraphs.
- 23 24 25 26 27 28

- 1 12. Crowe admits that portion of ¶ 12 that alleges that on October 26, 2016, law
2 enforcement officers executed a search warrant at Hansen Helicopters, Inc., at its
3 place of business in Harmon, Guam, and at subsidiary offices of Hansen
4 Helicopters, Inc., but denies each and every other allegation contained ¶ 12,
5 including the information set out in a table as a part of ¶ 12.
6
- 7 13. Crowe has no information or belief upon which to base an answer to the
8 conclusions attributed to IRS-CI Special Agent Viranousith Khamvongsa in ¶ 13
9 and therefore Crowe denies ¶ 13.
10
- 11 14. Crowe has no information or belief upon which to base an answer to the allegations
12 contained in ¶ 14 and therefore Crowe denies ¶ 14.
13
- 14 15. Crowe has no information or belief upon which to base an answer to the allegations
15 contained in ¶ 15 and therefore Crowe denies ¶ 15.
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- 17 16. Crowe has no information or belief upon which to base an answer to the allegations
18 contained in ¶ 16 and therefore Crowe denies ¶ 16.
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- 20 17. Crowe has no information or belief upon which to base an answer to the allegations
21 contained in ¶ 17 and therefore Crowe denies ¶ 17.
22
- 23 18. Crowe has no information or belief upon which to base an answer to the allegations
24 contained in ¶ 18 and therefore Crowe denies ¶ 18.
25
- 26 19. Crowe has no information or belief upon which to base an answer to the allegations
27 contained in ¶ 19 and therefore Crowe denies ¶ 19.
28
20. Crowe incorporates by reference the answers he gave to ¶¶ 1 through 19.
21. Crowe denies ¶ 21.

1 22. To the extent that Crowe may not have specifically addressed one or more of the
2 allegations set forth in the Complaint, Crowe denies every allegation that he has
3 not specifically admitted.
4

5 **AFFIRMATIVE DEFENSES**

6 First, the Complaint fails to state a claim for which relief may be granted.

7 Second, the government and its agents lacked probable cause to execute the search
8 warrant they employed against Crowe.
9

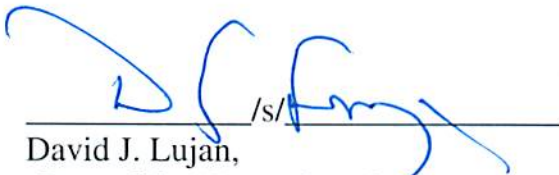
10 Third, the government exceeded the scope of its search warrant when it seized and
11 searched personal property of Crowe.

12 Fourth, the government failed to employ or exhaust administrative remedies that
13 were available to it.
14

15 **PRAYER**

16 Crowe prays that the government take nothing by its action and that the
17 government's complaint be dismissed with prejudice and for such other relief as the Court
18 deems warranted.
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20 Dated May 25, 2018

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23 David J. Lujan,
24 *Counsel for Kenneth Rufus Crowe*
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